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Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

JING ZHAO,

Plaintiff,

v.

ALEJANDRO MAYORKAS, Secretary,
 Department of Homeland Security, *et al.*,

Defendants.

C 4:24-cv-02391-JST

**STIPULATION TO STAY PROCEEDINGS;
~~PROPOSED~~ ORDER**

The parties, through their undersigned attorneys, hereby stipulate and respectfully request the Court to stay proceedings in this case for a limited time, until May 21, 2025. The parties make this joint request because they are pursuing an administrative resolution that may render further litigation of this case unnecessary.

1. Plaintiff filed this mandamus action seeking adjudication of her Form I-589, Application for Asylum and for Withholding of Removal. United States Citizenship and Immigration Services (“USCIS”) has scheduled the asylum interview to take place on January 21, 2025. USCIS agrees to work diligently towards completing adjudication of Plaintiff’s application, absent the need for further adjudicative action or unforeseen circumstances that would require additional time for adjudication.

2. Plaintiff agrees to submit all supplemental documents and evidence no later than seven to ten days prior to the interview, pursuant to USCIS policy. Plaintiff agrees that the failure to timely submit this evidence may result in the rescheduling of the interview at no fault of USCIS.

3. If needed by Plaintiff or her dependent(s), Plaintiff shall bring her own interpreter to her asylum interview. *See* <https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-provide-interpreters-starting-sept-13>. Plaintiff recognizes that failure to bring an interpreter to her interview may result in the interview being rescheduled at no fault of USCIS.

4. Upon receipt of USCIS' decision, Plaintiff agrees to voluntarily dismiss this case.

5. The parties agree to bear their own attorney fees and costs.

Accordingly, the parties stipulate and request that the proceedings in this case be stayed until May 21, 2025, at which time the parties will file a joint status report with the Court. At that time, the parties may request a further continuance of the stay of proceedings, dismissal of the litigation if appropriate, or placement of the case back on the Court's active docket. A stay of proceedings in this case will benefit the parties and conserve the Court's resources while the parties pursue a potential administrative resolution.

Dated: July 3, 2024

Respectfully submitted¹,

ISMAIL J. RAMSEY
United States Attorney

/s/ Elizabeth D. Kurlan
ELIZABETH D. KURLAN
Assistant United States Attorney
Attorneys for Defendants

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¹ In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all signatories listed below concur in the filing of this document.


1 Dated: July 3, 2024

2 /s/ Eric Martin
3 ERIC MARTIN
4 Law Office of Anders Johnson
5 Attorney for Plaintiff

6 **~~PROPOSED~~ ORDER**

7 Pursuant to stipulation, IT IS SO ORDERED.

8 Date: July 5, 2024

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10 HON. JON S. TIGAR
11 United States District Judge
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